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7 *Attorneys for Complainant*

8
9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. **2010-365**

14 **PATRICIA SUE WEBSTER,**
15 **aka PATRICIA SUE STANLEY,**
16 **aka PATRICIA SUE UNDERWOOD,**
17 **aka PATRICIA S. UNDERWOOD**
18 **1621 Cullen Avenue**
19 **Modesto, CA 95350**

ACCUSATION

20 **Registered Nurse License No. RN 591451**

21 **Respondent.**

22 **Complainant alleges:**

PARTIES

23 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
24 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
25 of Consumer Affairs.

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1 **License History**

2 2. On or about November 20, 2001, the Board of Registered Nursing issued Registered
3 Nurse License Number RN 591451 to Patricia Sue Webster, also known as Patricia Sue Stanley,
4 also known as Patricia Sue Underwood, also known as Patricia S. Underwood ("Respondent").
5 The Registered Nurse License was in full force and effect at all times relevant to the charges
6 brought herein. The license will expire on April 30, 2011, unless renewed.

7 **JURISDICTION**

8 3. This Accusation is brought before the Board of Registered Nursing ("Board"),
9 Department of Consumer Affairs, under the authority of the following laws. All section
10 references are to the Business and Professions Code ("Code"), unless otherwise indicated.

11 4. Code section 2750 provides, in pertinent part, that the Board may discipline any
12 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
13 in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

14 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
15 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
16 to render a decision imposing discipline on the license.

17 6. Code section 118, subdivision (b), provides that the suspension, expiration, surrender,
18 or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
19 disciplinary action during the period within which the license may be renewed, restored, reissued
20 or reinstated.

21 **STATUTORY PROVISIONS**

22 7. Code section 2761 states, in pertinent part:

23 The board may take disciplinary action against a certified or licensed
24 nurse or deny an application for a certificate or license for any of the following:

25 (f) Conviction of a felony or of any offense substantially related to the
26 qualifications, functions, and duties of a registered nurse, in which event the
record of the conviction shall be conclusive evidence thereof.

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1 **COST RECOVERY**

2 8. Code section 125.3 provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **CAUSE FOR DISCIPLINE**

7 **(Criminal Conviction)**

8 9. Respondent is subject to disciplinary action under Code section 2761, subdivision (f),
9 in that on or about November 7, 2008, in the Superior Court of California, County of Merced, in
10 the case entitled, *People of the State of California v. Patricia Sue Stanley* (Super Ct. Merced
11 County, 2008, Case No. MM220608), Respondent was convicted on her plea of nolo contendere
12 of violating Penal Code section 148 (Resisting, Delaying or Obstructing Officer or Emergency
13 Medical Technician), a misdemeanor. Such crime is substantially related to the functions, duties,
14 and qualifications of a registered nurse.

15 The circumstances of the crime are that on or about July 26, 2007, a California Highway
16 Patrol Officer was informed by the Merced Communications Center that a vehicle was severely
17 weaving in and out of the shoulder on Highway 99 and almost colliding with other vehicles. After
18 the officer located Respondent, he observed Respondent driving erratically and drifting between
19 lanes. Eventually, Respondent came to a stop after colliding into sand barrels on a surface street.
20 As a result of Respondent not being able to stand, the odor of alcohol emitting from her breath,
21 and that she was combative with the officer, Respondent was transported by an ambulance to the
22 hospital. At the hospital, Respondent was also uncooperative.

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1 PRAYER

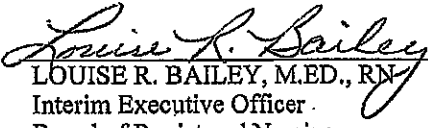
2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse Number RN 591451 issued to Patricia Sue
5 Webster, also known as Patricia Sue Stanley, also known as Patricia Sue Underwood, also known
6 as Patricia S. Underwood;

7 2. Ordering Patricia Sue Webster, also known as Patricia Sue Stanley, also known as
8 Patricia Sue Underwood, also known as Patricia S. Underwood, to pay the Board the reasonable
9 costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,

10 3. Taking such other and further action as deemed necessary and proper.

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12 DATED: 2/3/10.


LOUISE R. BAILEY, M.Ed., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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